



**STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
STATE FIRE MARSHAL'S OFFICE  
CODES ENFORCEMENT SECTION**  
Davy Crockett Tower, Third Floor  
500 James Robertson Parkway  
Nashville, Tennessee 37243-1162  
Phone (615) 741-7190  
FAX: 741-1583

**MODULAR MEMORANDUM**

**NO. 2004-10**

**RE: Additional State Review and Approval Required for Tennessee  
Modular Building Units for Special Designated Uses**

**DATE: August 24, 2004**

The "**Tennessee Modular Building Act**", Tennessee Code Annotated, Title 68, Chapter 126, Part 3, pre-empts local standards, and units constructed in accordance with the "**Act**" are to be accepted throughout the state, however, this "**Act**" does not pre-empt the requirements for plans and specifications review and approval as set forth in **Rule 0780-2-13, Review of Construction Plans and Specifications, Section 0780-2-3-.02.**

Any projects or plans involving Tennessee Modular Building Units for specific occupancies, such as:

1. All State owned and leased facilities.
2. All Educational Occupancies, Public and Private.
3. All Daycare Centers.
4. All Detention and Correctional facilities.
5. All Assembly Occupancies having an aggregate capacity of Three Hundred (300) or more persons.
6. All Business Occupancies, Three (3) Stories or more in height.
7. All Residential Occupancies, Three (3) Stories or more in height.
8. All Residential Occupancies, Two (2) Stories in height and having twelve (12) units or more.
9. All Covered Mall Occupancies.
10. All High Hazard Industrial Occupancies.

In addition to being reviewed and approved by Modular Building Unit Design Review Agency, the units must also be reviewed by the Codes Enforcement Section. (i.e., The Modular Building Reviewer and the Codes Enforcement Section Site Plans Reviewer)

The Modular Building Program and the Codes Enforcement Section have set up a system by which plans will not be filed with the Modular Building Program or approved by the Codes Enforcement Section, unless both the Modular Building Reviewer and the Codes Enforcement Section Reviewer have signed off that the plans are acceptable and meets the State of Tennessee requirements.

As before, when the plans are filed, the “**Notification of Receipt and Filing of a Modular Building Unit Plan**” document will be issued from the Modular Building Reviewer, permitting the unit to be placed into production.

**Currently**, the **Codes Enforcement Section (CES)** of the Division of Fire Prevention, State Fire Marshal’s Office has adopted the following codes and editions:

1. 1999 Edition, SBCCI Standard Building Code (SBC)
2. 1997 Edition, SBCCI Standard Mechanical Code (SMC)
3. 1999 Edition, SBCCI Standard Gas Code (SGC), Currently Adopted
4. 2003 Edition, NFPA 1, Uniform Fire Code, Including each reference in Chapter 2 thereof, excluding NFPA 5000.

**After January 1, 2001, no person shall commence construction of any occupancy that requires an inspection by the Division for initial licensure requirements of other state departments or agencies until plans and specifications therefore have been submitted to and approved in writing by the Division. (Rule 0780-2-3-.02(6))**

Any Tennessee Modular Building Units that fall under the designations listed above will have to be submitted to the Modular Building Program and the Codes Enforcement Section by using the combined adopted codes of each division. Therefore, the drawings and design will have to be dual coded.

**In the event of a conflict or inconsistency among the codes herein adopted by reference, the more stringent code provision shall prevail.**

If you have any questions regarding this matter, please contact the Tennessee Modular Building Program at (615) 741-7190.